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<p>1 Q Okay. So then looking at our little 2 tally sheet here on Exhibit 5, as of your leave 3 early on December 16, you had a total of 4 five-and-a-half points. Are we in agreement 5 there?</p> <p>6 A Yes.</p> <p>7 Q Okay. And then if you would, please, 8 take a look at Exhibit 7. Do you recall filling 9 out this form?</p> <p>10 A I remember filling out something.</p> <p>11 Q Okay.</p> <p>12 A It has my signature on it. So it must 13 have been this.</p> <p>14 Q Okay. So let's refer back then to the 15 Request for Admissions, which again is Exhibit 16 4. I'm sorry to switch you around so much. 17 We're picking up with number 11 that asks you to 18 admit that on January 4, 2006, you worked 2.1 19 one hours. And if you refer to Exhibit 2, 20 you'll see that on January 4, the time clock 21 shows that you clocked in at 4:56 a.m. and 22 clocked out at 7:10 a.m. Are you still in 23 agreement with your response --</p>	<p>1 questions.</p> <p>2 BY MS. CREVELING: That's correct. It's 3 a running tally.</p> <p>4 BY MR. ARNOLD: Okay.</p> <p>5 BY MS. CREVELING: I just thought it 6 would be easier visually.</p> <p>7 BY MR. ARNOLD: No. I agree. I just 8 wanted it to be clear on the record; that's all.</p> <p>9 BY MS. CREVELING: Yeah.</p> <p>10 Q (continued by Ms. Creveling) Okay. 11 Let's see here. Where are we? We're on 12 Request for Admission number 13, and it refers 13 to your absence on January 5. It asks you to 14 admit that you were absent on January 5. Do you 15 agree with that response still; that you were 16 absent on January 5?</p> <p>17 A I was absent on January 5.</p> <p>18 Q Okay. And you're still in agreement with 19 your response to number 13?</p> <p>20 A Yes.</p> <p>21 Q Okay. Let's talk a little bit about that 22 January 5 absence. The company's records 23 reflect that you called in at 4:38 a.m. and</p>
<p>1 A Yes.</p> <p>2 Q -- to Number 11?</p> <p>3 A Yes.</p> <p>4 Q No reason to believe that the time clock 5 was wrong for that day?</p> <p>6 A No.</p> <p>7 Q Okay. And number 12 asks you to admit 8 that as a result of leaving work early on 9 January 4, 2006, in accordance with the 10 Attendance Policy, you incurred a point. Are 11 you still in agreement with your response to 12 Request for Admission number 12?</p> <p>13 A Yes.</p> <p>14 Q Okay. So let's add that to Exhibit 5 15 here. So as a result of leaving early on 16 January 4, 2006, you were up to 6.5 points. Are 17 we in agreement with that?</p> <p>18 A That's through January 4th?</p> <p>19 Q Yes, including January 4th.</p> <p>20 A Yes.</p> <p>21 Q Okay.</p> <p>22 BY MR. ARNOLD: Let the record reflect 23 that the exhibit is changing as we answer the</p>	<p>1 stated that you were sick with a high fever and 2 wouldn't be in. Do you have any reason to 3 dispute that transcription of the call in line 4 for that morning?</p> <p>5 A No.</p> <p>6 Q Okay. Let's see here. Request for 7 Admission number 14 asks you to admit that in 8 accordance with the Attendance Policy, as a 9 result of your absence on January 5, you 10 incurred two points. In your response, you 11 admit that the company records reflect that you 12 got two points, but you disagree with the 13 assessment of those points. Tell me why it is 14 that you disagree with the assessment of those 15 points.</p> <p>16 A Because it was the second consecutive day 17 that I was sick from missing work.</p> <p>18 Q Okay. So do you believe that you should 19 have received any points for January 5?</p> <p>20 A Consecutive days says that vacation days 21 come into play.</p> <p>22 Q Okay.</p> <p>23 A And I had eighty hours of vacation.</p>

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<p>1 Q Uh-huh. And so again my question is, do 2 you believe you should have gotten any points 3 for January 5?</p> <p>4 A Since it was a consecutive day, I would 5 say no.</p> <p>6 Q Okay.</p> <p>7 A Vacation days should have been used.</p> <p>8 Q Let's talk a little bit about that 9 consecutive day notion. Does it have to be two 10 full days?</p> <p>11 A As far as I know, it doesn't say.</p> <p>12 Q Okay. What's your understanding of it?</p> <p>13 A If you're missing work for two 14 consecutive days with an illness --</p> <p>15 Q Okay.</p> <p>16 A -- then vacation hours or scheduled time 17 off comes into play.</p> <p>18 Q And my question to you is, what 19 constitutes a consecutive day? Is it an eight 20 hour day, or is it okay if you're absent for 21 four hours, and then the next day you're absent 22 eight hours? What does that -- how does that 23 work?</p>	<p>1 for January 5, 2006?</p> <p>2 A No.</p> <p>3 Q Okay. Let's take a look at, I think, 4 Request for Admission number 15, which refers to 5 your absence on January 6. Are you in agreement 6 with your response to request number 15?</p> <p>7 A I agree.</p> <p>8 Q Okay. If the transcription from the 9 call-in line on January 6 shows that you called 10 in at 4:44 a.m and reported that you would not 11 be in to work that day, would you have any 12 reason to disagree with the transcription of the 13 call-in line for that day?</p> <p>14 A No.</p> <p>15 Q Okay. Tell me what was going on with you 16 on January 6, 2006.</p> <p>17 A I was still sick. My abdominal area was 18 sore.</p> <p>19 Q All right. Let's see here. Request for 20 Admission number 16, it asks you to admit that 21 in accordance with the Attendance Policy, the 22 company assessed you a point for your absence on 23 January 6. You admitted that the company's</p>
<p>1 A When you're sick for consecutive days 2 missing work.</p> <p>3 Q No matter how many hours of work you 4 miss? The reason I ask, for example, you worked 5 part of the day on January 4. So you didn't 6 have a full day's absence on January 4. You had 7 a full day absence on January 5. In your view, 8 that's two consecutive days of absence even 9 though you worked part of the day on January 4?</p> <p>10 A Yes.</p> <p>11 Q Okay. So you believe that the company 12 should have automatically taken your vacation 13 time for January 5?</p> <p>14 A Yes.</p> <p>15 Q Okay. And accordingly, you don't believe 16 you should have received any points for January 17 5; is that correct?</p> <p>18 A Right.</p> <p>19 Q Okay. Did you talk directly with anybody 20 at the company on January 5?</p> <p>21 A No.</p> <p>22 Q Did you, in any manner, communicate to 23 the company that you wanted to use vacation time</p>	<p>1 records reflected that you were assessed a 2 point, but denied that you were -- or denied 3 that you should have been given that point. Are 4 you still in agreement with that response?</p> <p>5 A Yes.</p> <p>6 Q Okay. Tell me why it is that you think 7 you should not have received a point on January 8 6.</p> <p>9 A Because I was still sick that third day, 10 and I had vacation hours. So according to the 11 Attendance Policy, it was supposed to be used.</p> <p>12 Q Did you speak with anybody at the company 13 directly on January 6, 2006?</p> <p>14 A No.</p> <p>15 Q Did you communicate to anyone at the 16 company at anytime that you wanted to use 17 vacation for your absence on January 6?</p> <p>18 A No.</p> <p>19 Q Through your absence of January 6, 2006, 20 how many points do you think you should have 21 had?</p> <p>22 A Six-and-a-half.</p> <p>23 Q Okay. What happened on January 7? Were</p>

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<p>1 you scheduled to work that Saturday?</p> <p>2 A Yes.</p> <p>3 Q Would that have been overtime hours for</p> <p>4 you? Had you been there all week?</p> <p>5 A If I had been there all week, yes.</p> <p>6 Q Okay. Was that mandatory overtime?</p> <p>7 A Yes.</p> <p>8 Q What did you do on January 7th?</p> <p>9 A I came to work; clocked in.</p> <p>10 Q What time did you come to work on January</p> <p>11 7?</p> <p>12 A I don't remember.</p> <p>13 Q Okay. Do you remember what time you were</p> <p>14 scheduled to start that day?</p> <p>15 A I don't remember.</p> <p>16 Q Okay. And what happened once you got to</p> <p>17 work?</p> <p>18 A We were waiting for stretch-and-flex with</p> <p>19 the other employees. I showed Linda my doctor's</p> <p>20 excuse, and she said, "You'll have to give it to</p> <p>21 John." And when John came, I gave it to him.</p> <p>22 He said, "We don't accept doctor's excuses." As</p> <p>23 far as he's concerned, I didn't have a job</p>	<p>1 Q Do you remember when you had been to</p> <p>2 Auburn Urgent Care?</p> <p>3 A I went in on the 4th.</p> <p>4 Q Okay. Did you go on the 5th or 6th?</p> <p>5 A I went one more day --</p> <p>6 Q Okay.</p> <p>7 A -- during that time. I'm not sure of the</p> <p>8 date, though.</p> <p>9 Q Okay. And what type of note did you have</p> <p>10 from the doctor at the Urgent Care place?</p> <p>11 A It just said I was sick and excuse me for</p> <p>12 the 4th through the 6th; return to work on the</p> <p>13 7th.</p> <p>14 Q Did you believe that the doctor's note</p> <p>15 excusing you from work would have any impact on</p> <p>16 whether or not you received points under the</p> <p>17 Attendance Policy?</p> <p>18 A Repeat that, please.</p> <p>19 Q Sure. Let me rephrase that. If an</p> <p>20 employee came into work with a doctor's excuse,</p> <p>21 under the company's Attendance Policy, would</p> <p>22 that exempt them from getting points?</p> <p>23 A Exempt them, no.</p>
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<p>1 there. If I wanted to come back to personnel on</p> <p>2 Monday, I could.</p> <p>3 Q Was John there when you reported for work</p> <p>4 that Saturday morning?</p> <p>5 A I believe he was.</p> <p>6 Q Okay.</p> <p>7 A He wasn't around at the time.</p> <p>8 Q Okay. I think I missed part of what you</p> <p>9 said before. You had a doctor's excuse for</p> <p>10 those days that you had been absent?</p> <p>11 A Yes.</p> <p>12 Q Okay. What doctor did you have an excuse</p> <p>13 from?</p> <p>14 A The one at -- I believe it began with</p> <p>15 "Z". I don't remember exactly.</p> <p>16 Q Okay.</p> <p>17 A But --</p> <p>18 Q Was he affiliated with a particular</p> <p>19 hospital or practice, though?</p> <p>20 A Yes. It was Auburn Urgent Care.</p> <p>21 Q Okay.</p> <p>22 A I may have seen the guy that started with</p> <p>23 a "Z" another time. I don't remember.</p>	<p>1 Q Okay. Did you tell me that you initially</p> <p>2 tried to give your doctor's excuse to somebody</p> <p>3 besides than John Oleinick?</p> <p>4 A Linda.</p> <p>5 Q All right.</p> <p>6 A I showed it to Linda first.</p> <p>7 Q Okay. And Linda being the support tech?</p> <p>8 A Yeah. She was the one there --</p> <p>9 Q Okay.</p> <p>10 A -- waiting for stretch-and-flex. He</p> <p>11 wasn't there. John wasn't there yet.</p> <p>12 Q Okay. And Linda told you to give it to</p> <p>13 John?</p> <p>14 A Yes.</p> <p>15 Q About how much later was it that you saw</p> <p>16 John?</p> <p>17 A I don't know.</p> <p>18 Q Did you ever actually start working?</p> <p>19 A No.</p> <p>20 Q So it's fair to say it was pretty early</p> <p>21 in the morning that you saw John?</p> <p>22 A Yes.</p> <p>23 Q Or pretty early at the start of whatever</p>

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1 that time day was?	1 Q Did Tracy tell you why the company was
2 A Yes.	2 firing you?
3 Q Okay. And I'm sorry. Tell me again what	3 A I'm not sure what all he said. I just
4 it is that John told you when you gave him the	4 remember that part; that he said I was being
5 doctor's excuse?	5 fired.
6 A He said, "I don't accept doctor's	6 Q You don't remember him telling you why?
7 excuses," and as far as he was concerned, I no	7 A I'm not sure if he said because of points
8 longer had a job there.	8 or not. He may have.
9 Q Okay. And what was your response?	9 Q Okay. Where did Tracy get his
10 A That -- he also said that I could come	10 information?
11 back to personnel on Monday.	11 A I don't know.
12 Q Okay.	12 Q Okay. Is Tracy still with the company?
13 A I didn't respond. He gave me back my	13 A I think so.
14 doctor's excuse; I took it and left.	14 Q What was your response to Tracy?
15 Q Do you still have a copy of that doctor's	15 A You mean what did I say to him?
16 excuse?	16 Q Yes.
17 BY MR. ARNOLD: It's been produced. It's	17 A I don't remember.
18 in the initial disclosures. It's not Bates	18 Q Okay. How long did this conversation
19 labeled.	19 last?
20 BY MS. CREVELING: Okay.	20 A I don't remember.
21 BY MR. ARNOLD: I don't know why my staff	21 Q Did Tracy call you at your home phone?
22 only Bates labeled half of the documents.	22 A It was more than likely my cell phone.
23 BY MS. CREVELING: Okay.	23 Q Where were you when you received this
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1 Q (continued by Ms. Creveling) You didn't	1 call?
2 ask John why it was that you didn't have a job?	2 A At home.
3 A No.	3 Q What was your cell phone number back
4 Q Were you surprised?	4 then?
5 A Not after a friend of mine called me on	5 A I think it was 332-2234.
6 Friday and told me that they were firing me --	6 Q I'm sorry. 332 what?
7 Q Okay.	7 A 2234, I think.
8 A -- while I was still out sick.	8 Q What area code would that be? Is that
9 Q Who called you on Friday?	9 334?
10 A Tracy Moncus.	10 A 334.
11 Q And Tracy, I think you told me, was	11 Q Okay. And who was your cellular provider
12 another material handler; is that right?	12 back then?
13 A Yes.	13 A Cingular.
14 Q Okay. And what was it that Tracy told	14 Q Is that the same service you have today?
15 you?	15 A No.
16 A In short terms, that they fired me;	16 Q Okay. Where was Tracy calling you from?
17 they're replacing me; something like that.	17 A I don't know.
18 Q Was that the sole reason why Tracy was	18 Q About what time of day did this call come
19 calling you?	19 in?
20 A Yes.	20 A I don't know.
21 Q Did Tracy tell you how he came by this	21 Q Were you surprised when Tracy told you
22 information?	22 you were getting fired?
23 A No.	23 A Yes.

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1 Q Okay. Did you -- what did you do as a 2 result of Tracy's phone call and the information 3 he gave you? 4 A I didn't do anything. 5 Q Why not? Why not call up the company and 6 say, "I've heard I'm being fired. What's going 7 on?" 8 A For one thing, is every rumor true? I 9 don't know. So I didn't know if it was true or 10 not. 11 Q Okay. Why not call up the company and 12 find out? 13 A I don't know. 14 Q Okay. Did you -- once you heard this 15 rumor that you were being fired, did you check 16 with anyone at the company to see what your 17 points total was? 18 A No. 19 Q Prior to your return to work on January 20 7, 2006, had you heard from anybody else at the 21 company that you were being fired? 22 A No. 23 Q All right. So after -- back on January	1 A I don't remember. 2 Q Did you talk to anybody from the company 3 about your termination on the 7th? 4 A I don't remember. 5 Q Okay. Did you talk to anybody from the 6 company on the 8th about your termination? 7 A Sunday? 8 Q Yes. 9 A Not that I know of. 10 Q Okay. So then Monday was January 9th. I 11 understand that you went back in to talk to 12 Perry? 13 A Yes. 14 Q Okay. Tell me about that conversation. 15 A Okay. I handed him my doctor's excuse, 16 and he said that they didn't accept doctor's 17 excuses; that I have nine-and-a-half points, and 18 pointed out that I didn't have a job. So I 19 reached for my doctor's excuse; he handed it 20 back; I got up and left. 21 Q Where did that meeting take place? 22 A I believe that was Perry's office. It 23 used to be Jimmy's. So I guess it's the
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1 7, after John told you that they don't accept 2 doctor's notes and as far as he was concerned, 3 you didn't have a job anymore, but you could go 4 to personnel on Monday, what did you do then? 5 You told me you took back the doctor's excuse, 6 and then what happened after that? 7 A Let's see. Perry said the same thing. 8 When I handed him my excuse, he said they didn't 9 accept doctor's excuses anymore; that I have 10 nine-and-a-half points. 11 Q Is that what happened on Monday? 12 A Yes. 13 Q Okay. Before we get to Monday, tell me 14 what else happened on the 7th. After you took 15 back the doctor's excuse, what did you do next? 16 A I clocked out and went home. 17 Q Okay. Did you talk to anybody at the 18 company between the time you had this discussion 19 with John and when you went home? 20 A No. 21 Q After you went back home on -- or left 22 work on January 7, that Saturday, what did you 23 do?	1 personnel manager's office. 2 Q Okay. Anybody else present? 3 A No. 4 Q Is it your belief that Perry engaged in 5 retaliation against you for having taken a leave 6 of absence? 7 A Yes. 8 Q Tell me why. 9 A I don't know why. 10 Q I'm sorry. Tell me -- tell me why you 11 believe Perry retaliated against you. 12 A I really don't know. I don't know why. 13 Q Okay. I'm not asking you to tell me what 14 actually motivated Perry, but what acts did 15 Perry take that lead you to believe he was 16 retaliating against you. 17 A What acts; what did he do? 18 Q Yeah, what did he do and what did he say? 19 A He just said what I said he said, and 20 that was it. 21 Q Okay. And what makes you think that that 22 was tied to your leave of absence? 23 A Because I had vacation hours, and it

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<p>1 shouldn't have been counted up to 2 nine-and-a-half points, anyway. 3 Q Did you explain that to Perry on January 4 9? 5 A No, I didn't. 6 Q Why not? 7 A Because he was the second person that 8 said I didn't have a job there. 9 Q Uh-huh. 10 A A lot of talking wouldn't have done any 11 good. 12 Q Why? Why do you think that? 13 A Because it just -- I don't know. It just 14 -- I haven't heard anybody else talk their way 15 back in. 16 Q Okay. Did you tell John, when you talked 17 to him on the 7th, that it was a mistake and 18 that your vacation time should have been taken 19 instead? 20 A Did I tell John? 21 Q Yeah. 22 A No. 23 Q Okay. So why is it that you believe that</p>	<p>1 Q Yes. 2 A Yes. 3 Q Tell me why you believe that. 4 A I believe him and John -- it was based on 5 him and John's conversation. 6 Q Okay. And what conversation are you 7 referring to? 8 A I don't know. I didn't particularly say 9 that they had one, but generally the supervisor 10 will talk with the personnel manager about 11 somebody if they're going to be fired. 12 Q So you don't know if Perry and John 13 actually had any conversations about terminating 14 you? 15 A You asked me what I believe. 16 Q Right. I'm asking you, do you know, in 17 fact, whether or not Perry and John had any 18 conversations about terminating you? 19 A Do I know for sure? 20 Q Yes. 21 A I don't know. 22 Q Okay. Any other reason why you believe 23 that Perry terminated you because you took a</p>
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<p>1 Perry was retaliating against you rather than 2 simply making a mistake or not realizing that 3 you had vacation available? 4 A Could you repeat that? 5 Q Sure. Why is it that you think Perry was 6 trying to retaliate against you for having taken 7 leave -- 8 A What do I think? 9 Q -- as opposed to Perry just made a 10 mistake or Perry didn't know you had vacation 11 time? 12 A Why do I believe; is that what you're 13 saying? 14 Q Yes. What makes you think Perry was out 15 to get you because you took a leave of absence? 16 Is that what you believe? 17 A I believe it was -- 18 BY MR. ARNOLD: Object to form. 19 Q (continued by Ms. Creveling) Let's start 20 over. Do you believe that Perry specifically 21 wanted to terminate your employment because you 22 took a leave of absence in December of '05? 23 A Do I believe it?</p>	<p>1 leave of absence in December of '05? 2 A Could you repeat that? 3 Q Sure. Any other reason that you believe 4 Perry terminated you because you took a leave of 5 absence in 2005? 6 A No. 7 Q Okay. Do you believe that John Oleinick 8 had the authority to terminate your employment? 9 A Yes. 10 Q Okay. Do you believe that John Oleinick 11 terminated your employment because you took a 12 leave of absence in December 2005? 13 A Yes. 14 Q Why do you believe that John Oleinick 15 terminated you because you took a leave of 16 absence in December 2005? 17 A Because he put a strain on trying to run 18 the department with a person missing. 19 Q How many employees, roughly, did John 20 Oleinick supervise in the Door Warehouse when 21 you were there? 22 A I believe it was about twenty. 23 Q To your recollection, did any of those</p>

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1 other nineteen people ever take a leave of 2 absence while John supervised them? 3 A I don't know. 4 Q Is it your belief that John Oleinick 5 fired other people because they took a leave of 6 absence? 7 A Do I believe? 8 Q Yes. 9 A I don't know. 10 Q Okay. Are you able to identify for me 11 anybody else who -- are you able to identify for 12 me anybody who accumulated nine points, but was 13 not fired? 14 A I don't know. 15 Q Okay. Are you able to identify anyone -- 16 anyone else who the company failed to apply that 17 consecutive day absence rule to? 18 A I don't know. 19 Q Okay. 20 BY MS. CREVELING: Let's take just a 21 quick break. 22 23 REPORTER'S NOTE: (At this point, a brief recess	1 discovery period remaining to be 2 misinterpreted -- 3 BY MS. CREVELING: Sure. No. I'm just 4 looking for his personal knowledge right now; if 5 he can point me to any other employees. 6 BY MR. ARNOLD: Okay. 7 Q (continued by Ms. Creveling) Let's refer 8 back to the Request for Admissions. I think 9 we've covered number 17. Number 18 and 19, are 10 you still in agreement with those responses? 11 A 17, 18 and 19? 12 Q Yeah. 13 BY MR. ARNOLD: He needs to see the 14 exhibits, I think, in order to verify. Seeing 15 how they're admitted, I don't think that's 16 really going to be a problem. 17 BY MS. CREVELING: Okay. 18 Q (continued by Ms. Creveling) For 18 and 19, it's referring to what we've already marked 20 as Exhibit 1. 21 A Huh? 22 Q Are you still in agreement with your 23 responses to 17 through 19?
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1 was taken, after which, the deposition 2 continued, as follows: 3 4 Q (continued by Ms. Creveling) Let's see 5 here. Are you able to identify anyone who was 6 allowed to use vacation and not get points for 7 consecutive days absences? 8 A I don't know. 9 BY MR. ARNOLD: Let's put on the record, 10 you've got outstanding discovery on some of 11 these issues that you're -- not all -- but some 12 of these issues you're discussing for -- 13 BY MS. CREVELING: Correct. You have 14 asked for -- we have identified all the 15 individuals who received written warnings under 16 the Attendance Policy and all the people who 17 were terminated under the Attendance Policy, and 18 have agreed to produce the attendance records 19 for those people. 20 BY MR. ARNOLD: Correct. 21 BY MS. CREVELING: Okay. 22 BY MR. ARNOLD: I just don't want a lot 23 of these "I don't know" answers -- an extensive	1 A Yes. 2 Q Okay. I think 20 we've already covered. 3 Any change to your responses to 21 or 22? 4 A No changes. 5 Q Okay. When you sat down to talk to Perry 6 on January 9, do you recall him presenting you 7 with any paperwork? 8 A He did not. 9 Q Okay. And if the company has a 10 disciplinary form that shows you refused to sign 11 it, what would be your response to that? 12 A Repeat that, please. 13 Q Sure. If the company has a document -- a 14 disciplinary document that indicates that you 15 were shown it, but refused to sign it, would you 16 agree or disagree with that? 17 A I haven't seen any documents. 18 Q Okay. 19 A And I haven't refused to sign any. 20 Q Okay. 21 22 REPORTER'S NOTE: (At this point, instrument was 23 marked for identification by the Reporter as

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1 Defendant's Exhibit Number 8, after which, the 2 deposition continued, as follows:) 3 4 Q (continued by Ms. Creveling) Let me show 5 you what we've marked as Exhibit 8. That's a 6 receipt showing that you received a copy of the 7 Employee Handbook in 2004. Is that your 8 signature there? 9 A Yes. 10 Q Okay. Did you ever read through the 11 handbook? 12 A Did I ever read through it? 13 Q Yeah. 14 A While I was there? 15 Q Yeah, while you were employed. 16 A No. 17 Q Okay. 18 19 REPORTER'S NOTE: (At this point, instrument was 20 marked for identification by the Reporter as 21 Defendant's Exhibit Number 9, after which, the 22 deposition continued, as follows:) 23	1 other than that -- 2 Q Did you ever call the hot line to 3 complain that you thought that Perry and John 4 were retaliating against you because you took 5 Family Medical Leave? 6 A That I took what? 7 Q That you took Family Medical Leave; that 8 you took a leave of absence. 9 A Did I call the hot line? 10 Q Yes. 11 A I didn't know there was one for being 12 fired. 13 Q Okay. Did you complain to anyone about 14 your termination? 15 A You're talking about anyone -- who? 16 Q Anybody. 17 A My wife? 18 Q Okay. Anybody besides your wife? 19 A I'm asking you. You're talking about 20 like my wife? 21 Q Anybody. 22 A Let's see. I'm not sure that I did. I 23 remember -- I may have talked to Tracy about it.
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1 Q (continued by Ms. Creveling) Let me hand 2 you Exhibit 9. Tell me if you've seen this 3 before. 4 A Yes. 5 Q Do you remember approximately when you 6 received this letter? 7 A Do I remember? 8 Q Yes. 9 A No. 10 Q Okay. Did you call anyone at the company 11 when you -- once you received this letter? 12 A No. 13 Q Okay. Are you aware that the company had 14 a hot line -- 800-number-type hot line that 15 employees could call if they believed that they 16 were being retaliated against, harassed, 17 discriminated against, what have you? 18 A Retaliated against or harassed? 19 Q Yes. 20 A Not retaliated against. I thought there 21 was something -- I may have seen something from 22 some company saying something about a hot 23 line -- if it was like sexual harassment. But	1 Q Were you and Tracy friends outside of 2 work? 3 A Did we do stuff together? 4 Q Yes. 5 A No. 6 Q Have you maintained contact with Tracy? 7 A I call Tracy on occasion. 8 Q Okay. Is Tracy aware you filed this 9 lawsuit? 10 A Yes. 11 Q Okay. Is Tracy prepared to testify on 12 your behalf? 13 BY MR. ARNOLD: Objection. 14 A I didn't ask him -- 15 Q (continued by Ms. Creveling) Okay. 16 A -- really. 17 Q Do you believe that Tracy has information 18 relevant to this complaint, this litigation? 19 A I'm not sure. 20 Q Who else at the company have you 21 maintained contact with? 22 A That I've called on occasion? 23 Q Called or seen or whatever; any kind of

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<p>1 contact.</p> <p>2 A Gloria Durham and Linda Thomas.</p> <p>3 Q Is Gloria Durham the other material</p> <p>4 handler you mentioned earlier?</p> <p>5 A Yes.</p> <p>6 Q And Linda Thomas, is she the support</p> <p>7 tech?</p> <p>8 A Yes.</p> <p>9 Q Okay. Anybody else?</p> <p>10 A I talked to Craig.</p> <p>11 Q Who's Craig?</p> <p>12 A I don't remember his last name.</p> <p>13 Q Okay. What position does he have?</p> <p>14 A I don't know.</p> <p>15 Q Is he an hourly employee; member of</p> <p>16 management?</p> <p>17 A I think it's hourly.</p> <p>18 Q Okay. Anybody else?</p> <p>19 A That still works there?</p> <p>20 Q Yeah.</p> <p>21 A Not that I can remember.</p> <p>22 Q Okay. Does Gloria have any information</p> <p>23 relevant to this litigation?</p>	<p>1 not just in terms --</p> <p>2 A Do I believe or did somebody actually do</p> <p>3 it?</p> <p>4 Q Do you believe that anybody else took any</p> <p>5 kind of action against you because you took a</p> <p>6 leave of absence?</p> <p>7 A No, I don't believe there is.</p> <p>8 Q Have you talked with Tracy about this</p> <p>9 whole notion that you should have been allowed</p> <p>10 to use vacation time instead of getting points</p> <p>11 for your absences in January?</p> <p>12 BY MR. ARNOLD: Object to form.</p> <p>13 A I don't know.</p> <p>14 Q (continued by Ms. Creveling) Okay. Have</p> <p>15 you talked to Linda about your understanding</p> <p>16 that you should have been allowed to use</p> <p>17 vacation time instead of getting points in</p> <p>18 January of '06?</p> <p>19 A Did I talk with Linda about that?</p> <p>20 Q Yes.</p> <p>21 A No.</p> <p>22 Q Okay. Did you talk to Gloria about that</p> <p>23 same issue?</p>
Page 130	Page 132
<p>1 A Does she have any or does she know some?</p> <p>2 Q Yes.</p> <p>3 A I don't know.</p> <p>4 Q Okay. How about Linda?</p> <p>5 A I don't know.</p> <p>6 Q Okay. How about Craig?</p> <p>7 A I don't know.</p> <p>8 Q Okay. You told me that you believe John</p> <p>9 Oleinick and Perry Ezell terminated you because</p> <p>10 you took a leave of absence in December of '05.</p> <p>11 Is there anybody else at the company that you</p> <p>12 believe was involved in the decision to</p> <p>13 terminate your employment?</p> <p>14 A Do I believe there was someone else?</p> <p>15 Q Yes.</p> <p>16 A I don't think so.</p> <p>17 Q Okay. Is there anyone else at the</p> <p>18 company whom you believe took some sort of</p> <p>19 action again you because you took a leave of</p> <p>20 absence?</p> <p>21 A You say do I believe there's someone</p> <p>22 else? Is there someone else?</p> <p>23 Q Right. Who took any kind of action;</p>	<p>1 A No.</p> <p>2 Q Okay. Did you talk to Craig?</p> <p>3 A No.</p> <p>4 Q At anytime have you attempted to verify</p> <p>5 with anybody at the company that you should have</p> <p>6 been allowed to use vacation time instead of</p> <p>7 getting points for your absences in January?</p> <p>8 A Did I talk with anybody else in the</p> <p>9 company?</p> <p>10 Q Yes.</p> <p>11 A No.</p> <p>12 Q You told me about the comment that John</p> <p>13 Oleinick made to the effect of, "We're in the</p> <p>14 same fix as before." Were there any other</p> <p>15 comments that John made along those same lines?</p> <p>16 A No.</p> <p>17 Q Okay. Any other comments that John made</p> <p>18 that you thought were inappropriate regarding</p> <p>19 your absences or your leave?</p> <p>20 A No.</p> <p>21 Q Okay.</p> <p>22 A Absences or leave; is that what you said?</p> <p>23 Q Yes.</p>

Page 133	Page 135
1 A No. 2 Q Did Perry make any comments to you that 3 you found to be inappropriate regarding your 4 leave? 5 A BY MR. ARNOLD: Besides what he's already 6 testified to? 7 BY MS. CREVELING: Well, he's testified 8 that they don't take doctor's excuses and you 9 have points. I mean, I'm assuming he thought 10 that was wrong. 11 Q (continued by Ms. Creveling) But in 12 terms of comments about taking leave or -- 13 A Did he make any comments about taking 14 leave? 15 Q Yeah. 16 A No. 17 Q Okay. Back in December of 2005, who did 18 you deal with regarding your leave of absence? 19 I think you told me you had to go to the office 20 and fill out some papers. Who specifically did 21 you deal with? 22 A I don't know. It was a young lady. 23 Q Okay. Does the name Kim Couch ring any	1 Q Okay. Was she also supervised by John 2 Oleinick? 3 A Yes. 4 Q Okay. I'll represent to you that in your 5 response to Interrogatory number 2, you 6 indicated that Christy Evans witnessed your 7 doctor's excuse being delivered to John Oleinick 8 and his refusal to accept the excuse. Tell me 9 what role -- where Christy was and what role 10 Christy had in that conversation with John 11 Oleinick. 12 A Christy was standing around waiting for 13 stretch-and-flex. John came around the corner; 14 I handed it to him. So probably something like 15 that, if they were looking. 16 Q Okay. 17 A Because everybody was there doing 18 stretch-and-flex. Most of them were there 19 already. 20 Q Okay. Do you remember anybody else being 21 there? I think you told me Linda Thomas and 22 Christy Evans. Anybody else you recall being in 23 the area when you came in on January 7 and
1 bells with you? 2 A It sounds familiar. 3 Q How about a Kirstin Ray (SP)? 4 A I think Kim -- Kim sounds familiar. 5 Q Okay. Do you have any complaints at all 6 about your treatment by Kim Couch? 7 A No. 8 Q Anybody else in H.R., besides Perry? 9 A No. 10 Q Okay. The Vacation Policy that you've 11 described to me today, was that contained in the 12 Employee Handbook? 13 A I don't know. 14 Q You don't know? 15 A I don't know. 16 Q Okay. Did you have a copy of it in 17 writing? 18 A Of the handbook? 19 Q Of the Vacation Policy that you've 20 described to me. 21 A I don't know. 22 Q Okay. Who is Christy Evans? 23 A Material handler.	1 talked to John? 2 A There may have been some more. I don't 3 remember exactly who. 4 Q Okay. In your complaint, you ask for 5 reinstatement to your job at MasterBrand. Are 6 you still interested in reinstatement to that 7 job? 8 A Seeing as how I was treated when I was 9 there, I would have to say no. 10 Q Okay. When you returned to work on 11 January 3, 2006, did John Oleinick complain to 12 you about having to cover for you while you were 13 out on your leave of absence? 14 A I don't remember him complaining. What 15 did you say; did he complain to me? 16 Q Right. 17 A I don't remember it. 18 Q Do you remember him complaining at any 19 other time about having to cover for you during 20 your leave of absence in December of '05? 21 A I don't remember any, no. 22 Q Do you remember any other employees 23 complaining that they had to cover for you

Page 137	Page 139
1 during your leave of absence?	1 Q Okay.
2 A Not complaining, no.	2 BY MS. CREVELING: I don't believe I have
3 Q Okay. I forget now who you told me	3 any other questions.
4 covered, besides John. Who else was it?	4 BY MR. ARNOLD: I have no questions,
5 A Tracy.	5 either.
6 Q Tracy. Did Tracy ever complain to you?	6
7 A Complain about covering for me?	7 (END OF PROCEEDINGS)
8 Q Yes.	8
9 A No.	9
10 Q Okay. In your complaint, you allege that	10
11 MasterBrand violated the Attendance Policy when	11
12 it didn't honor your doctor's excuse for your	12
13 absences in January. Are we now in agreement	13
14 that the fact that you had a doctor's note for	14
15 those days didn't make any difference under the	15
16 Attendance Policy?	16
17 A It makes a difference as far as when you	17
18 have a doctor's excuse, that means you were	18
19 sick, and then vacation days would have been	19
20 used.	20
21 Q Okay. So it matters for the purpose of	21
22 establishing consecutive absences?	22
23 A Yes.	23
Page 138	Page 140
1 Q But we're in agreement that it does not	1 C E R T I F I C A T E
2 otherwise exempt somebody from getting points?	2
3 BY MR. ARNOLD: Object to form.	3 STATE OF ALABAMA)
4 Q (continued by Ms. Creveling) We're in	4)
5 agreement that a doctor's excuse on its own does	5 JEFFERSON COUNTY)
6 not exempt someone from getting points under the	6
7 Attendance Policy?	7 I hereby certify that the above and
8 A If they have no vacation days, right.	8 foregoing deposition was taken down by me in
9 Q Okay. Is there anyone who we haven't	9 stenotype and the questions and answers thereto
10 discussed today who would have information	10 were transcribed by means of computer-aided
11 relevant to your leave of absence in December of	11 transcription, and that the foregoing represents
12 '05?	12 a true and correct transcript of the testimony
13 A I really don't know. You're talking	13 given by said witness upon said hearing.
14 about --	14
15 Q Is there anybody else we haven't	15 I further certify that I am neither
16 discussed who has information about your leave	16 counsel, nor of kin to the parties to the
17 of absence in December of '05?	17 action, nor am I in any way interested in the
18 A I don't think there is.	18 result of said cause.
19 Q Okay. Is there anybody we haven't	19
20 already discussed who has information about the	20
21 reasons for your -- for the termination of your	21
22 employment?	22 Kelly J. Gray, C.S.R.
23 A Not to my knowledge.	23

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EXHIBIT 1

MasterBrand

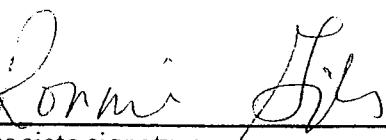
C a b i n e t s, I n c.

ATTENDANCE POLICY EFFECTIVE JULY 18, 2005

ASSOCIATE RECEIPT

I have received my personal copy of the MBCI Attendance Policy and my transition "hours to points" sheet. I understand that it is my responsibility to become familiar with the contents of this material and to ask for clarification on any policy.

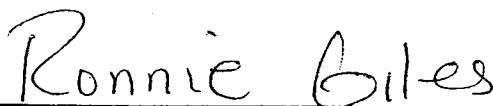
I understand that neither this document, nor any other Company document, constitutes a contract or agreement of any kind. This handbook does not constitute a contract of employment, should not be construed as one and employment at MBCI is "at will." From time to time, employees may be informed orally or in writing of changes in Company rules, including additions and deletions. The Company reserves the right to change policies at any time with or without notice.



Associate signature

7-15-05

Date



Print Name

DEFENDANT'S
EXHIBIT



Attendance Policy

Effective: July 18, 2005

POLICY STATEMENT

Employees are expected to consistently report on time and be prepared to work. Employees are also expected to work all scheduled hours including overtime, if scheduled. The failure to maintain prompt and regular attendance adversely impacts the Company's production schedule.

This Attendance Policy sets forth the Company's expectations with respect to attendance and the consequences for failing to meet those expectations. Effective July 18, 2005, this Attendance Policy replaces all prior attendance policies including the Attendance Policy found in the Employee Handbook dated January 2003.

CLOCKING PROCEDURES

Employees are required to clock in at the start of their shift and clock out at the end of their shift. Employees may not clock in earlier than 15 minutes prior to the start of their shift. Clocking entries for pay and/or overtime purposes that do not correspond with an employee's scheduled working hours require the approval of the employee's supervisor. Employees are required to immediately exit the premises upon clocking out.

Employees who are leaving Company property for any non-work related reason at any time during their scheduled shift are required to clock out before leaving and clock back in upon their return.

An employee who violates the clocking procedures may be subject to disciplinary action, up to and including termination.

REPORTING AN ABSENCE -- CALL IN PROCEDURE

Employees who will be absent from work must call in and report their Absence by leaving a message at 334-502-1017. An Absence must be reported prior to the start of the employee's scheduled shift in order to avoid the assessment of an additional point. An employee must leave their name, department, supervisor's name, and reason on the message. The time of the message will be recorded. Absent an emergency, employees must personally leave the message on the Absence Line -- messages from third parties will not be accepted.

ASSESSMENT OF ATTENDANCE POINTS

Employees will be assessed attendance points based upon the nature and amount of time missed from work as well as the ability to provide appropriate notification.

Event	Attendance Points Assessed	Description
Late Arrival	.5	Failing to be clocked in and be at the workstation by the scheduled starting time (defined as 2 hours or less).
	1	Failing to be clocked in and be at the workstation by the scheduled starting time (defined as more than 2 hours).
Early Departure/ Break in Workday	.5	Either early departure or break in workday which is 2 hours or less. Any departure requires supervisor approval
	1	Either early departure or break in workday which is more than 2 hours. Any departure requires supervisor approval.
Absence	2	An employee who misses a scheduled shift. For consecutive days absent 1 point will be assessed for each consecutive day after the first. (See example below).
No Call	1	An employee who fails to notify the Company of an Absence prior to the start of the scheduled shift shall be assessed an additional point.

"Scheduled starting time" is the time an employee is expected to report to work on the day in question.

"Scheduled shift" is all hours, including overtime, an employee is expected to work on the day in question.

"Point Reduction" - point values drop six (6) months from issue.

RELATED CONSECUTIVE ABSENCES

The Company understands that, in limited circumstances, this policy could substantially impact an employee with otherwise good attendance. An employee who is required to miss consecutive work days due to their own medical condition or that of a dependent child shall only be assessed one (1) point per day following the initial absence. An employee shall only be entitled to this reduced point schedule provided the employee timely reports each day's absence on the Absence Line and the employee has exhausted all Scheduled Time Off and Vacation.

Example: Dependent child wakes up sick on Thursday morning. Employee timely calls in to report his/her absence. Dependent child remains sick on Friday and Saturday (employee is scheduled to work both days but is unable to work because the employee does not have dependent care). Employee must timely call in to report each day's absence. At the time of the dependent child's illness, the employee has 2 hours of Scheduled Time Off and 8 hours of vacation time remaining.

Under this scenario, Thursday counts as an Absence so the employee will be assessed 2 points. Friday's absence from work can be covered by Scheduled Time Off and vacation (assuming this employee is scheduled to work no more than 10 hours). The employee may be able to partially cover their absence from work on Saturday with the remaining hours of vacation, if any. If Saturday cannot be covered with vacation, the employee would be assessed one additional point provided he/she timely reports the Absence.

Total points assessed for these 3 days are either 2 or 3 points.

DISCIPLINARY ACTION

An employee will be issued the following disciplinary action if they receive or exceed the points listed below:

3 Points = Verbal Warning
6 Points = Written Warning
9 Points = Termination of Employment

An employee's accountability for their attendance will be measured on a rolling six (6) month basis -- measured backward -- from the date of the most recent occurrence. It is each associate's responsibility to be aware of their own attendance record and their absence history, including their work record as defined by disciplinary action. In other words, it is ultimately the employee's and not the Company's responsibility to be aware of and keep track of attendance points. An employee may request a review of their attendance record at any time through the Human Resources Department. Disciplinary action will occur as required under this policy based on the Company's periodic monitoring of employees' attendance records.

EXCUSED ABSENCES

The following represent excused Absences that will not count against an employee under the Attendance Policy:

Approved Vacations
Holidays
Jury Duty

An Approved Leave of Absence
Subpoenaed as a witness in a court hearing

Unless and until a leave of absence is approved by the Company, an employee is required to call in and report their Absence for each day of work missed. Prior to returning to work from a leave due to a medical condition that rendered an employee unable to work, the employee must provide medical certification that they have been released to return to work.

SCHEDED TIME OFF

The Company recognizes that on occasion an employee may not be able to avoid taking time off from work due to medical appointments, family matters, school related matters or similar functions. Employees shall be provided with sixteen (16) hours of excused unpaid Scheduled Time Off per calendar year. Scheduled Time Off may be used in increments of 2 hours. Scheduled Time Off may only be used when the employee has provided their supervisor with at least 24 hours advanced notification of the need to take time off from work. While the Company will make every effort to honor an employee's request for Scheduled Time Off, there may be occasions where the request must be denied due to production requirements.

Scheduled Time Off cannot be used to excuse an absence the day immediately before or the day immediately after a paid holiday. Scheduled Time Off does not have to be used in conjunction with an approved leave of absence.

CHRONIC ABSENTEEISM

This Attendance Policy attempts to establish a generally acceptable level of absenteeism while allowing for some flexibility in the event of unforeseen circumstances. However, an employee who on average carries 5 or more attendance points on their record for a period of 18 or more months has Chronic Absenteeism. The Company will work with such an employee to improve their overall attendance record. However, an employee who is unable or unwilling to improve their overall attendance record will be subject to termination of employment.

It is not good enough to simply avoid being assessed 9 points under this Attendance Policy. In other words, employees who consistently carry 5 or more points are either missing a substantial amount of production time and/or failing to properly notify the Company of their Absence and/or Early Departure on a regular basis. Such conduct and behavior is unacceptable and will not be tolerated by the Company.

PERFECT ATTENDANCE AWARD

An employee who maintains perfect attendance for a complete calendar year (January 1 through December 31) will be eligible to receive the Perfect Attendance Award. Perfect attendance is defined as not having received any attendance points for

the duration of the calendar year. The Perfect Attendance Award will be paid out as follows:

1 year	\$100
2 consecutive years	\$125
3 consecutive years	\$150
4 consecutive years	\$200
5 -- 9 consecutive years	\$250
10 or more consecutive years	\$300

Parking Spot: The ten (10) associates with the longest period of perfect attendance will be given an assigned parking place. Any break in perfect attendance will remove you from the assigned parking spot immediately upon recording of the absence.

EXAMPLE OF ASSESSMENT OF ATTENDANCE POINTS

Date	Occurrence	Attendance Points Assessed	Point Total
February 15, 2005	Late Arrival (2 hours or less)	.5	.5
March 10, 2005	Absence with Call-In	2	2.5
April 5, 2005	Early Departure (more than 2 hours)	1	3.5
May 6, 2005	Scheduled Time Off	0	3.5
<p>Employee, who is scheduled to work 6:00 a.m. to 3:00 p.m., wants to attend a school-related function for their child. Employee provides 24 hours advanced notice and supervisor approves (24 hour advanced notification requires notice prior to the start of the shift on May 5, 2005). Employee misses first 4 hours of work and uses Scheduled Time Off to cover.</p>			
August 12, 2005	Absence without Call-In	3	6.5
August 15, 2005	Employee gains back points assessed based on six (6) month basis measured backwards from February 15, 2005	-.5	6.0
August 15, 2005	Early Departure (more than 2 hours)	1	7.0
<p>On August 12, 2005, employee has been assessed more than 6 points and should receive a written warning. However, before the Company could meet with the employee there was an additional incident. The additional points stand since it is the employee's responsibility to be aware of their overall attendance record. The employee is now an incident away from termination of employment. Any additional time missed from work will require planning and the use of Scheduled Time Off.</p>			
September 10, 2005	Employee gains back points assessed on March 10, 2005	-2	5.0
October 5, 2005	Employee gains back points assessed on April 5, 2005	-1	4.0
November 15, 2005	Scheduled Time Off	0	4.0
<p>Employee timely uses 2 hours of scheduled time off to cover a doctor's appointment.</p>			
December 31, 2005	Employee completes year with 2 hours of unpaid Scheduled Time Off, which this time does not carryover.		

Date	Occurrence	Attendance Points Assessed	Point Total
January 1, 2006	Employee starts the year with 4.0 points and 16 hours of unpaid Scheduled Time Off.		
April 6, 2006	Absence with Call-In	2	6.0
April 7, 2006	Absence covered with Scheduled Time Off (approved 24 hr advance)	0	6.0
April 8, 2006	Absence covered with Scheduled Time Off (approved 24 hr advance)	0	6.0
Employee missed 3 consecutive days of work due to their own medical condition. At the time, the employee had 16 hours of Scheduled Time Off but no remaining vacation time. Employee is assessed 2 points for the first day's Absence on April 6. No points are assessed for the Absence on April 7 & 8 due to the employee's ability to cover this absence with Scheduled Time Off (assuming an 8 hour Scheduled Shift).			
April 11, 2006	Absence with no call in	3	9.0
Employee will be notified of the termination of their employment for violation of the Attendance Policy.			

An employee who is able to cover all time missed from work in a calendar year with Scheduled Time Off (i.e., no attendance points are assessed for the entire calendar year) qualifies for the Perfect Attendance Award. An employee with perfect attendance in 2005 will receive \$100 (less tax) on payroll check in January 2006. If the employee has perfect attendance for a second consecutive year, the employee will receive \$125 (less tax) in January 2007.

EXHIBIT 2

DAY	DATE	ROUNDED--		ACTUAL--		SCHEDULED--		PAY		HOURS	AP	LABOR LVL	TOTAL HOURS
		IN	OUT	IN	OUT	IN	OUT	CODE					
SAT	2/26/05	5:00	U	12:06		11	A	4:55	12:10	0:00	VA	6:60	1 01:5436
XON	3/01/05	5:00		13:42	E	11	A	0:00	5:00	14:30		4:00	1 01:5436
TUE	3/02/05	5:00		14:00	E	11	A	4:55	13:42	5:00		8:20	1 01:5436
WED	3/03/05	5:00		13:30	E	11	A	4:57	13:35	5:00		8:50	1 01:5436
THU	3/04/05	5:00		13:30	E	11	A	4:55	13:30	5:00		8:00	1 01:5436
FRI	3/05/05	5:00		14:00	E	11	A	4:55	13:30	5:00		8:00	1 01:5436
MON	3/07/05	5:00		13:48	E	11	A	4:55	14:00	5:00		8:50	1 01:5436
TUE	3/08/05	5:00		13:30	E	11	A	4:56	13:49	5:00		8:30	1 01:5436
WED	3/09/05	5:00		13:30	E	11	A	4:55	13:30	5:00		8:00	1 01:5436
THU	3/10/05	5:00		13:30	E	11	A	4:55	13:35	5:00		8:00	1 01:5436
FRI	3/11/05	5:00		13:30	E	11	A	4:54	13:30	5:00		8:00	1 01:5436
MON	3/14/05	5:00		12:00	E	11	A	4:58	12:00	5:00		6:00	1 01:5436
TUE	3/15/05	5:00		14:00	E	11	A	0:00	0:00	14:30		6:50	1 01:5436
WED	3/16/05	5:00		14:00	E	11	A	4:53	14:00	5:00		6:50	1 01:5436
THU	3/17/05	5:00		9:30	E	11	A	0:00	0:00	14:30		8:50	1 01:5436
TRU	3/18/05	5:00		15:06	L	11	A	4:54	15:11	5:00		6:50	1 01:5436
FRI	3/19/05	5:00		16:30	L	11	A	4:54	14:30	5:00		9:00	1 01:5436
SAT	3/20/05	5:00		9:12	E	11	A	0:00	0:00	14:30		9:00	1 01:5436
MON	3/21/05	5:00		14:30	L	11	A	4:51	9:17	5:00		5:80	1 01:5436
TUE	3/22/05	5:00		15:00	L	21	A	4:55	9:32	5:00		6:20	1 01:5436
WED	3/23/05	5:00		16:30	L	21	A	0:00	0:00	14:30		6:50	1 01:5436
THU	3/24/05	5:00		14:30	E	21	A	4:55	14:30	5:00		6:20	1 01:5436
FRI	3/25/05	5:00		15:00	L	21	A	0:00	0:00	14:30		6:50	1 01:5436
MON	3/26/05	5:00		14:30	E	21	A	4:55	15:00	5:00		9:00	1 01:5436
TUE	3/27/05	5:00		16:30	L	21	A	0:00	0:00	14:30		9:50	1 01:5436
WED	3/28/05	5:00		9:00	E	21	A	4:56	9:02	0:00		4:00	1 01:5436
THU	3/29/05	5:00		14:30	L	21	A	4:56	14:36	5:00		6:00	1 01:5436
FRI	3/30/05	5:00		14:30	L	21	A	0:00	0:00	14:30		9:00	1 01:5436
MON	4/01/05	5:00		14:42	L	21	A	4:54	14:46	5:00		9:20	1 01:5436
TUE	4/02/05	5:00		14:42	L	21	A	4:51	14:47	5:00		9:20	1 01:5436
WED	4/03/05	5:00		13:30	E	21	A	4:48	13:30	5:00		8:50	1 01:5436
THU	4/04/05	5:00		15:08	L	21	A	4:52	15:00	5:00		9:50	1 01:5436
FRI	4/05/05	5:00		13:30	E	21	A	4:53	13:30	5:00		8:00	1 01:5436
MON	4/06/05	5:00		14:30	L	21	A	4:55	14:30	5:00		9:00	1 01:5436
TUE	4/07/05	5:00		14:30	L	21	A	4:54	14:32	5:00		9:00	1 01:5436
WED	4/08/05	5:00		14:24	E	21	A	4:55	14:27	5:00		9:00	1 01:5436
THU	4/09/05	5:00		14:48	L	21	A	4:54	14:48	5:00		8:90	1 01:5436
FRI	4/10/05	5:00		15:12	L	21	A	4:55	15:15	5:00		9:30	1 01:5436
MON	4/11/05	5:00		14:30	L	21	A	4:54	14:32	5:00		9:70	1 01:5436
TUE	4/12/05	5:00		14:30	E	21	A	4:55	14:38	5:00		9:00	1 01:5436
WED	4/13/05	5:00		14:30	L	21	A	4:54	14:38	5:00		9:00	1 01:5436
THU	4/14/05	5:00		14:30	L	21	A	4:55	14:30	5:00		9:00	1 01:5436
FRI	4/15/05	5:00		14:00	E	21	A	4:54	14:32	5:00		9:00	1 01:5436
MON	4/16/05	5:00		13:00	E	21	A	4:55	14:03	5:00		7:50	1 01:5436
TUE	4/17/05	5:00		13:30	E	21	A	4:49	13:00	5:00		6:00	1 01:5436
WED	4/18/05	5:00		14:30	L	21	A	4:56	13:30	5:00		7:50	1 01:5436
THU	4/19/05	5:00		14:30	L	21	A	4:55	14:31	5:00		8:00	1 01:5436
FRI	4/20/05	5:00		13:00	E	21	A	4:56	13:01	5:00		8:00	1 01:5436
MON	4/21/05	5:00		13:00	E	21	A	4:54	13:01	5:00		7:50	1 01:5436
TUE	4/22/05	5:00		13:00	E	21	A	0:00	0:00	14:30		7:50	1 01:5436
WED	4/23/05	5:00		13:00	E	21	A	4:55	9:05	5:00		7:00	1 01:5436
THU	4/24/05	5:00		14:48	L	21	A	4:55	14:50	5:00		7:00	1 01:5436
FRI	4/25/05	5:00		14:48	L	21	A	4:52	14:31	5:00		7:00	1 01:5436
MON	4/26/05	5:00		14:30	E	21	A	4:50	14:30	5:00		7:00	1 01:5436

DAY	DATE	--ROUNDED--		--ACTUAL--		--SCHEDULED--		PAY CODE	HOURS	AP LABOR LVL\$	TOTAL HOURS
		IN	OUT	IN	OUT	IN	OUT				
WED	4/27/05	5:00	14:00	E	11	A	4:55	14:04	5:00	14:30	8:50
THU	4/28/05	5:00	14:18	E	11	A	4:56	14:18	5:00	14:30	8:80
FRI	4/29/05	5:00	14:48	L	11	A	4:55	14:49	5:00	14:30	9:30
MON	5/02/05	5:00	13:30	E	11	A	4:55	13:32	5:00	14:30	8:00
TUE	5/03/05	5:00	14:30	L	11	A	4:55	14:30	5:00	14:30	9:00
WED	5/04/05	5:00	14:30	L	11	A	4:51	14:41	5:00	14:30	9:00
THU	5/05/05	5:00	14:30	L	11	A	4:54	14:34	5:00	14:30	9:00
FRI	5/06/05	5:00	14:30	L	11	A	4:55	14:34	5:00	14:30	9:00
MON	5/09/05	5:00	14:30	L	11	A	4:55	14:31	5:00	14:30	9:00
TUE	5/10/05	5:00	14:30	L	11	A	4:54	14:31	5:00	14:30	9:00
WED	5/11/05	5:00	14:30	L	11	A	4:51	14:33	5:00	14:30	9:00
THU	5/12/05	5:00	14:48	L	11	A	4:53	14:52	5:00	14:30	9:30
FRI	5/13/05	5:00	14:50	L	11	A	4:52	14:14	5:00	14:30	9:00
SAT	5/14/05	5:00	13:30	E	11	A	4:54	13:50	5:00	14:30	8:70
MON	5/16/05	5:00	14:06	E	11	A	4:52	13:05	5:00	14:30	7:50
TUE	5/17/05	5:00	14:30	L	11	A	4:54	14:07	5:00	14:30	7:50
WED	5/18/05	5:00	14:48	L	11	A	4:55	14:33	5:00	14:30	8:60
THU	5/19/05	5:00	13:50	E	11	A	4:57	13:34	5:00	14:30	9:00
FRI	5/20/05	5:00	13:50	E	11	A	4:52	13:31	5:00	14:30	8:00
FRI	5/20/05	5:00	10:06	E	11	A	0:00	0:00	0:00	0:00	0:00
MON	5/23/05	5:00	13:48	E	11	A	4:54	10:06	5:00	14:30	2:90
WED	5/24/05	5:00	14:54	L	11	A	4:51	13:51	5:00	14:30	5:10
THU	5/25/05	5:00	13:30	E	11	A	4:54	14:54	5:00	14:30	8:30
FRI	5/26/05	5:00	14:00	E	11	A	4:53	13:50	5:00	14:30	8:00
MON	5/27/05	5:00	13:18	E	11	A	4:55	13:21	5:00	14:30	8:50
TUE	5/28/05	5:00	14:30	L	11	A	0:00	0:00	0:00	0:00	0:00
MON	5/29/05	5:00	14:30	L	11	A	4:53	14:31	5:00	14:30	8:00
WED	6/01/05	5:00	14:30	L	11	A	4:57	14:37	5:00	14:30	9:00
THU	6/02/05	5:00	13:48	E	11	A	4:53	13:50	5:00	14:30	8:30
FRI	6/03/05	5:00	14:18	E	11	A	4:52	14:19	5:00	14:30	8:30
MON	6/06/05	5:00	13:42	E	11	A	4:53	13:43	5:00	14:30	8:80
TUE	6/07/05	5:00	13:30	E	11	A	4:55	13:32	5:00	14:30	8:20
WED	6/08/05	5:00	13:30	E	11	A	4:55	13:30	5:00	14:30	8:00
THU	6/09/05	5:00	14:00	E	11	A	4:55	13:30	5:00	14:30	8:00
FRI	6/10/05	5:00	13:30	E	11	A	4:56	13:30	5:00	14:30	8:00
MON	6/13/05	5:00	13:30	E	11	A	4:53	13:33	5:00	14:30	8:00
TUE	6/14/05	5:00	13:30	E	11	A	4:56	13:30	5:00	14:30	8:00
WED	6/15/05	5:00	13:30	E	11	A	4:57	13:30	5:00	14:30	8:00
THU	6/16/05	5:00	13:30	E	11	A	4:55	13:31	5:00	14:30	8:00
FRI	6/17/05	5:00	13:30	E	11	A	4:57	13:34	5:00	14:30	8:00
MON	6/20/05	5:00	13:30	E	11	A	4:51	13:30	5:00	14:30	8:00
TUE	6/21/05	5:00	13:42	E	11	A	4:56	13:43	5:00	14:30	8:20
WED	6/22/05	5:00	13:30	E	11	A	4:52	13:32	5:00	14:30	8:00
THU	6/23/05	5:00	13:30	E	11	A	4:58	13:30	5:00	14:30	8:00
FRI	6/24/05	5:00	13:30	E	11	A	4:57	13:33	5:00	14:30	8:00
MON	6/27/05	5:00	13:30	E	11	A	4:55	13:30	5:00	14:30	8:00
TUE	6/28/05	5:00	13:30	E	11	A	4:53	13:30	5:00	14:30	8:00
WED	6/29/05	5:00	13:30	E	11	A	4:55	13:32	5:00	14:30	8:00
THU	6/30/05	5:00	13:30	E	11	A	4:54	13:35	5:00	14:30	8:00
FRI	7/01/05	5:00	13:30	E	11	A	4:55	13:33	5:00	14:30	8:00
MON	7/04/05	5:00	13:30	E	11	A	4:57	13:30	5:00	14:30	8:00
TUE	7/05/05	5:00	13:30	E	11	A	0:00	0:00	0:00	0:00	0:00
WED	7/06/05	5:00	13:30	E	11	A	4:54	13:33	5:00	14:30	8:00
						A	4:56	13:34	5:00	14:30	8:00

DAY	DATE	ROUNDED-		ACTUAL--		SCHEDULED--		PAY		HOURS	AP	LABOR LVL\$	TOTAL HOURS		
		IN	OUT	IN	OUT	CODE	IN	OUT							
THU	7/07/05	5:00	13:30	E	11	A	4:56	13:30	5:00	14:30	8.00	1	01-5436	1176.70	
FRI	7/08/05	5:00	13:30	E	11	A	4:56	13:33	5:00	14:30	8.00	1	01-5436	1184.70	
MON	7/11/05	5:00	13:30	E	11	A	4:53	13:33	5:00	14:30	8.00	1	01-5436	1192.70	
TUE	7/12/05	5:00	13:30	E	11	A	4:54	13:30	5:00	14:30	8.00	1	01-5436	1200.70	
WED	7/13/05	5:00	13:30	E	11	A	4:55	13:30	5:00	14:30	8.00	1	01-5436	1208.70	
THU	7/14/05	5:00	13:40	E	11	A	4:55	14:00	5:00	14:30	8.00	1	01-5436	1217.20	
FRI	7/15/05	5:00	13:48	E	11	A	4:51	13:51	5:00	14:30	8.30	1	01-5436	1225.50	
MON	7/18/05	5:00	14:00	L	11	A	4:57	14:05	5:00	13:30	8.50	1	01-5436	1234.00	
TUE	7/19/05	5:00	15:24	L	11	A	4:55	15:27	5:00	13:30	9.90	1	01-5436	1243.90	
WED	7/20/05	5:00	15:30	L	11	A	4:55	13:31	5:00	13:30	8.00	1	01-5436	1251.90	
THU	7/21/05	5:00	12:30	L	11	A	4:56	12:30	5:00	7:00	0.00	1	01-5436	1258.90	
FRI	7/22/05	5:00	12:30	L	11	A	4:53	12:36	5:00	13:30	PI	1	01-5436	1260.60	
MON	7/25/05	5:00	14:00	L	11	A	0:00	0:00	0:00	0:00	VA	8.00	1	01-5436	1266.80
TUE	7/26/05	5:00	15:24	L	11	A	0:00	0:00	0:00	0:00	VA	8.00	1	01-5436	1274.80
WED	7/27/05	5:00	15:30	L	11	A	0:00	0:00	0:00	0:00	VA	8.00	1	01-5436	1282.80
THU	7/28/05	5:00	12:30	L	11	A	0:00	0:00	0:00	0:00	VA	8.00	1	01-5436	1290.80
FRI	7/29/05	5:00	12:30	L	11	A	0:00	0:00	0:00	0:00	VA	8.00	1	01-5436	1298.80
MON	8/01/05	5:00	13:48	L	11	A	4:51	13:30	5:00	13:30	8.00	1	01-5436	1306.80	
TUE	8/02/05	5:00	13:50	L	11	A	4:53	13:53	5:00	13:30	8.30	1	01-5436	1314.80	
WED	8/03/05	5:00	13:50	L	11	A	4:56	13:32	5:00	13:30	8.00	1	01-5436	1323.10	
THU	8/04/05	5:00	13:50	L	11	A	4:56	13:32	5:00	13:30	8.00	1	01-5436	1331.10	
FRI	8/05/05	5:00	13:50	L	11	A	4:54	13:43	5:00	13:30	8.00	1	01-5436	1339.10	
MON	8/08/05	5:00	13:50	L	11	A	4:55	13:35	5:00	13:30	8.00	1	01-5436	1347.10	
TUE	8/09/05	5:00	13:50	L	11	A	4:54	13:35	5:00	13:30	8.00	1	01-5436	1355.10	
WED	8/10/05	5:00	13:50	L	11	A	0:00	0:00	0:00	0:00	VA	8.00	1	01-5436	1363.10
THU	8/11/05	5:00	9:00	L	11	A	4:55	9:00	5:00	9:00	4.00	1	01-5436	1367.10	
FRI	8/12/05	5:00	13:48	L	11	A	4:56	13:49	5:00	13:30	4.00	1	01-5436	1371.10	
MON	8/15/05	5:00	13:50	L	11	A	4:57	13:50	5:00	13:30	8.30	1	01-5436	1379.40	
TUE	8/16/05	5:00	13:54	L	11	A	4:56	13:55	5:00	13:30	8.40	1	01-5436	1387.40	
WED	8/17/05	5:00	13:50	L	11	A	4:46	13:32	5:00	13:30	8.00	1	01-5436	1395.80	
THU	8/18/05	5:00	14:12	L	11	A	4:54	14:17	5:00	13:30	8.00	1	01-5436	1403.80	
FRI	8/19/05	5:00	13:30	L	11	A	4:48	13:30	5:00	13:30	8.00	1	01-5436	1412.50	
MON	8/22/05	5:00	13:30	L	11	A	4:54	13:42	5:00	13:30	8.20	1	01-5436	1420.50	
TUE	8/23/05	5:00	15:54	L	11	A	4:53	13:32	5:00	13:30	8.00	1	01-5436	1428.70	
WED	8/24/05	5:00	15:54	L	11	A	4:56	15:57	5:00	13:30	10.40	1	01-5436	1436.70	
THU	8/25/05	5:00	12	L	11	A	0:00	0:00	0:00	0:00	T1	1447.10			
FRI	8/26/05	5:00	16:18	L	11	A	4:54	16:18	5:00	13:30	10.00	1	01-5436	1447.30	
MON	8/29/05	5:00	17:24	L	11	A	4:47	17:25	5:00	13:30	10.80	1	01-5436	1457.30	
TUE	8/30/05	5:00	15:00	L	11	A	4:53	15:00	5:00	13:30	11.90	1	01-5436	1468.10	
WED	8/31/05	5:00	14:42	L	11	A	4:55	14:43	5:00	13:30	9.50	1	01-5436	1489.50	
THU	9/01/05	5:00	15:30	L	11	A	4:54	15:31	5:00	13:30	9.20	1	01-5436	1498.70	
FRI	9/02/05	5:00	15:00	L	11	A	0:00	0:00	0:00	0:00	AB	8.00	1	01-5436	1506.70
MON	9/05/05	5:00	14:12	L	11	A	0:00	0:00	0:00	0:00	PS	8.00	1	01-5436	1514.70
TUE	9/06/05	5:00	15:30	L	11	A	0:00	0:00	0:00	0:00	PS	8.00	1	01-5436	1522.70
WED	9/07/05	5:00	15:00	L	11	A	4:48	14:14	5:00	13:30	8.70	1	01-5436	1530.70	
THU	9/08/05	5:06	15:00	L	11	A	0:00	0:00	0:00	0:00	T1	8.00	1	01-5436	1539.40
FRI	9/09/05	5:00	14:00	L	11	A	5:02	15:00	5:00	13:30	9.40	1	01-5436	1547.40	
MON	9/12/05	5:00	13:54	L	11	A	4:54	14:00	5:00	13:30	8.50	1	01-5436	1556.80	
TUE	9/13/05	5:00	15:30	L	11	A	4:55	13:55	5:00	13:30	8.40	1	01-5436	1565.30	
											10.00	1	01-5436	1573.70	